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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
KRISTIN K. MAYES
GARY PIERCE

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
BROADWEAVE NETWORKS OF ARIZONA FOR
A CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE RESOLD LOCAL
EXCHANGE AND FACILITIES-BASED LOCAL
EXCHANGE TELECOMMUNICATIONS
SERVICES IN THE STATE OF ARIZONA.

DOCKET NO. T-20514A-07-0113

PROCEDURAL ORDER

BY THE COMMISSION:

On February 21, 2007, Broadweave Networks of Arizona ("BNA" or "Applicant") submitted to the Arizona Corporation Commission ("Commission") an application for a Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide resold long distance, resold local exchange and facilities-based local exchange telecommunications services within the State of Arizona ("Application"). The Applicant also requested that its services be classified as competitive.

On March 23, 2007, the Commission's Utilities Division Staff ("Staff") filed a Letter of Insufficiency stating that the Application had not met the sufficiency requirements as outlined in the Arizona Administrative Code. ("A.A.C.").

On April 17, 2007, BNA filed its response to Staff's first set of data requests. Also on April 17, 2007, BNA filed a confidential supplement to its application.

On November 2, 2007, BNA filed a supplement to its first set of data requests.

On November 7, 2007, BNA filed a second supplement to its first set of data requests.

On November 7, 2007, Staff filed a Letter of Administrative Completeness in this matter.

On November 27, 2007, a Procedural Order was issued setting a hearing date on January 23, 2008, directing the Applicant to publish notice of the application and hearing date, and requiring Staff to file its Staff Report by December 21, 2007.

On December 21, 2007, Staff filed a Request for an Extension of Time, requesting a three-week extension of the Staff Report filing date, until January 11, 2008.

1 A teleconference was convened on December 21, 2007 with counsel for BNA, counsel for
2 Staff, and an Administrative Law Judge. The Applicant indicated it is not opposed to Staff's request
3 if the January 23, 2008, hearing date remains intact.

4 On December 24, 2007, by Procedural order, Staff's deadline for its Staff Report was
5 extended from December 21, 2007 to January 11, 2008, and the deadline for filing comments
6 regarding the Staff Report was extended from January 14, 2008 to January 18, 2008. Applicant and
7 intervenors were to file specific objections or comments, if any, regarding the application and the
8 Staff Report by no later than January 18, 2008.

9 On January 11, 2008, Staff filed its Staff Report.

10 On January 17, 2008, BNA filed a request that the deadline for filing
11 disagreements/comments regarding the Staff Report be extended and the hearing date be reset.

12 A Procedural Order was issued on January 18, 2008, extending Applicant's deadline for filing
13 its responses to the Staff Report to on or before February 8, 2008 and resetting the hearing date to
14 February 28, 2008.

15 On January 23, 2008, a public hearing was held for the purpose of taking public comments to
16 BNA's Application.

17 On February 7, 2008, BNA filed its Request for Additional Extension of Deadline for Filing
18 Comments on Staff Report and Request to Continue Hearing Date. BNA states that it has discussed
19 with Staff certain issues surrounding Staff's recommendations, but believes that additional
20 discussions would be helpful.

21 As such, BNA requests an additional 60 days to file its response to the Staff Report, from
22 February 8, 2008, to April 8, 2008. BNA further requests that the hearing on this matter be reset from
23 February 28, 2008, to on or after April 28, 2008. BNA has discussed these extensions with Staff and
24 states that Staff has no objection.

25 Accordingly, Applicant's request to extend the deadlines for filing its response to the Staff
26 Report and to reset the hearing to a later date is reasonable and should be granted.

27 IT IS THEREFORE ORDERED that Applicant shall file its **response to the Staff Report** on
28 or before **April 8, 2008**.

1 IT IS FURTHER ORDERED that the **hearing** on this matter shall be **reset to May 13, 2008,**
2 **at 10:00 a.m.,** at the office of the Commission, Hearing Room 1, 1200 West Washington Street,
3 Phoenix, Arizona, 85007.

4 IT IS FURTHER ORDERED that all parties must comply with Rule 31 and 38 of the Rules of
5 the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission *pro*
6 *hac vice*.

7 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
8 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
9 Rules of Arizona Supreme Court). Representation before the Commission includes to appear at all
10 hearings and procedural conferences, as well as all Open Meetings for which the matter is scheduled
11 for discussion, unless counsel has previously been granted permission to withdraw by the
12 Administrative Law Judge or the Commission.

13 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
14 Communications) applies to this proceeding and shall remain in effect until the Commission's
15 Decision in this matter is final and non-appealable.

16 IT IS FURTHER ORDERED that the time clock for issuing a Decision in this matter is
17 extended accordingly.

18 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
19 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

20 Dated this 11th day of February, 2008.

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22 
23 BELINDA A. MARTIN
24 ADMINISTRATIVE LAW JUDGE

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1 Copies of the foregoing mailed/delivered
this 11th day of February, 2008 to:

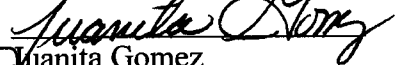
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17 By: 
18 Juanita Gomez
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